IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 14541 of 2004

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PATEL DHIRAJKUMAR TRIBHOVANDAS

Versus

DIVISIONAL CONTROLLER G S R T C

Appearance:

1. Special Civil Application No. 14541 of 2004

MR YV VAGHELA for Petitioner No. 1

MR ASHISH M DAGLI for Respondent No. 1

..... for Respondent No. 2

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 05/11/2004

ORAL JUDGEMENT

1. RULE. Mr.A M Dagli learned advocate waives service of rule on behalf of the respondents. With their

consent, the matter is finally heard today.

2. A consensus has been arrived at between the parties, in view of the undertaking filed by petitioner, wherein he has agreed that he will regularly pay the licence fees every month to the respondent Corporation if the respondent is ready and willing to accommodate him to do the business in the premises of the respondent Corporation. He further undertakes that he will withdraw the Regular Civil Suit pending before the Court of Civil Judge (J.D.) Modasa, which he had preferred for injunction against the respondent Corporation.

3. In view of the aforesaid undertaking filed by the petitioner, the petitioner shall now be permitted to carry on his business and his possession shall not be disturbed, till the new contract is awarded by the respondent Corporation. It shall be open for the petitioner to compete in the new Tender that may be invited by the respondent Corporation.

4. In view of the above, nothing remains to be done in the matter. The petition stands disposed of accordingly. Rule is made absolute to the above extent. D.S.P.

(K. S. JHAVERI, J.)

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